UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,952	04/06/2000	Arthur R. Francis	RSW9-2000-0008-US1	7895

7590 07/25/2005	**EXAMINER**
Jeanine S Ray-Yarletts	VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
2178	

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DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/543,952	FRANCIS ET AL.
	Examiner	**Art Unit**	
	Gregory J. Vaughn	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 May 2005</u>.
2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-31</u> is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-31</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Application History

1.   This action is responsive to the Request for Continued Examination and amendment, filed on 5/9/2005.

2.   Applicant has amended claims 1, 8, 15 and 22.

3.   Claims 1-31 are pending in the case, claims 1, 8, 15 and 22 are independent claims.

4.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after a final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action (dated 2/10/2005) has been withdrawn pursuant to 37 CFR 1.114.

5.   Examiner's rejection of claims 2, 9, 16 and 23, made under 35 USC 112 in the *Claim Rejections – 35 USC 112* section of the previous office action (dated 2/10/2005) is withdrawn in view of the interview of 3/7/2005, wherein support from the originally filed specification for the added limitations was identified by applicant's representative.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> *"A person shall be entitled to a patent unless –*
>
> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."*

7.   Claims 1, 6, 7, 8, 13, 14, 15, 20-22, 27 and 28 remain rejected under 35

U.S.C. 103(a) as being unpatentable over Hawkins et al. US Patent

6,343,318, filed 5/29/1998, patented 1/29/2002 (hereinafter Hawkins) in view

of Ginter et al., US Patent 5,892,900, filed 8/30/1996, patented 4/6/1999

(hereinafter Ginter).

8.   **Regarding independent claim 1,** Hawkins discloses in Figure 1 receiving

a request for the original JSP file at a server, the request being sent from a

PvC device, the JSP file being stored at the server. As shown in Figure 1, the

PvC device is shown at reference sign 100 (described as *"Wireless

Communications Device"*), the request is shown at reference signs 122, 124

and 126 (described as *"Wireless CTP Query"*, *"CTP Query"* and *"HTTP

Query"* respectively), and the server is shown at reference sign 140

(described as *"Web Server"*). The server is shown storing a document at

reference sign 144 (described as *"HTML Page"*). Hawkins anticipates the

HTML page stored at the server as also being embodied as JSP, as described in the next paragraph.

Hawkins recites: "*The proxy server 180 responds to requests by wireless clients 405 to fetch either web content or messaging information. The proxy server 180 carries most of the burden of bringing the information from the Internet 190, converting it to wireless client 405 compatible CTP and CML formats, and transferring it to the wireless client 405 over the wireless network*" (column 261, lines 17-23) and "*The wireless client 405 and the proxy server 180 use a special format for transferring screen 101 contents from the proxy server 180 to the wireless client 405. This format, named Compact Markup Language (CML), emphasizes compactness over readability and generally uses variable length binary bit fields instead of text to represent options and formatting information*" (column 21, lines 33-40). Hawkins further recites: "*CGI (Common Gateway Interface) scripts can be supported. CGI scripts are used by the web server 140 to respond to form submissions by browsers and for customizing web content for a particular user. When the browser 104 requests a web document that corresponds to a CGI script, the browser 104 can append text parameters to the end of the base document URL. The proxy server 180 will parse the parameters out*" (column 13, lines 44-51) and "*Alternatively, the wireless applications can standalone applications access through the browser 104. The applications can be C programs, JAVA programs, and/or compressed markup language (CML) or HTML pages*" (column 9, lines 34-37). Hawkins also recites: "*The wireless*

application 106 represents one of many predefined applications that are stored locally on the wireless communications device 100" (column 9, lines 15-17).

Hawkins discloses performing the conversion process steps at the server. Hawkins recites: *"server 180 carries most of the burden of bringing the information from the Internet 190, converting it to wireless client 405 compatible CTP and CML formats, and transferring it to the wireless client 405 over the wireless network"* (column 261, lines 18-23).

Hawkins discloses transforming a Java proxy server file application into a pervasive computing device compatible file, where the server will parse specific elements out during the conversion process. Hawkins also discloses storing the transformed file. Hawkins fails to disclose the masking and unmasking of specific tags in the conversion process. Ginter teaches the use of masking tags. Ginter recites: *"UDEs 1200 are preferably encrypted using a site specific key once they are loaded into a site. This site-specific key masks a validation tag"* (column 150, lines 35-37).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the masking of tags as taught by Ginter with the transformation of files for pervasive computing devices as taught by Hawkins in order to *"maintain the integrity, availability, and/or confidentiality of such information and processes related to such use"* (Ginter, column 1, lines 13-15).

9.   **Regarding independent claims 8, 15 and 22**, the claims are directed toward an apparatus, a computer program and a system (respectively) for the method of claim 1, and remain rejected using the same rationale.

10.   **In regard to dependent claims 6-7, 13-14, 20-21 and 27-28**, the claims remain rejected for fully incorporating the deficiencies of their base claims.

11.   Claims 2, 3, 9, 10, 16, 17, 23 and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of Ginter and further in view of Judson US Patent 6,185,586 (filed 4/6/1998, patented 2/6/2001).

12.   **In regard to dependent claims 2 and 3**, Hawkins discloses transforming a Java proxy server file application into a pervasive computing device compatible file, where the server will parse specific elements out during the conversion process. Hawkins also discloses storing the transformed file. Hawkins and Ginter disclose masking as described above. Hawkins and Ginter fail to disclose masking by use of comment tags. Judson teaches the use of comments tags to mask. Judson recites: *"Preferably, the information object is masked by an HTML comment tag, which may include other HTML tags nested therein to format the information in the object"* (column 3, lines 2-3).

    Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the transformation of files for pervasive computing devices by masking tag as taught by Hawkins and Ginter with the comment masking of Judson so that *"the information is*

preferably "hidden" within the web page using a hypertext markup comment

tag" (Judson, column 2, lines 58-59).

13.   **Regarding dependent claims 9-10, 16-17 and 23-24,** the claims are

directed toward an apparatus, a computer program and a system

(respectively) for the method of claims 2-3, and remain rejected using the

same rationale.

14.   Claims 4-5, 11-12, 18-19 and 25-26 remain rejected under 35 U.S.C.

103(a) as being unpatentable over Hawkins in view of Ginter and further in

view of Ramaley et al. US Patent 6,585,777, filed 1/19/1999, patented

7/1/2003 (hereinafter Ramaley).

15.   **In regard to dependent claim 4 and 5,** Hawkins discloses transforming a

Java proxy server file application into a pervasive computing device

compatible file, where the server will parse specific elements out during the

conversion process. Hawkins also discloses storing the transformed file.

Hawkins and Ginter disclose masking as described above. Hawkins and

Ginter fail to disclose storing with a unique file name or file extension.

Ramaley discloses *"Assign Unique Identifier Comprising Fixed String and*

Unique Instance Number" at reference 620 in Fig. 6. Ramaley teaches the

use of unique file naming

        Therefore, it would have been obvious, to one of ordinary skill in the art, at

the time the invention was made to add the file naming of Ramaley to the

transformation of files for pervasive computing devices by masking tag as

taught by Hawkins and Ginter to provide the benefit of *"placing information in*

a primary file that provides a cue" (Ramaley, column 3, lines 7-8).

16.   **In regard to dependent claims 11-12, 18-19 and 25-26**, the claims are

directed toward an apparatus, a computer program and a system

(respectively) for the method of claims 4-5, and remain rejected using the

same rationale.

17.   Claims 29-31 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Hawkins in view of Ginter and further in view of Toyouchi

et al. US Patent 6,847,988, filed 9/13/1999, patented 1/25/2005 (hereinafter

Toyouchi).

18.   **Regarding dependent claim 29**, Hawkins and Ginter disclose a method

for transforming an original JSP file into a PvC device specific file, and

locating the original JSP file on the server as described above. Hawkins and

Ginter fail to disclose determining the type of PvC device based upon the

header information of the request. Toyouchi discloses using the header

information of a request to determine the type of device, Toyouchi recites: *"In*

FIG. 53, there is shown a format of a message transmitted/received between

the information acquiring computer and the service providing computer. The

message contains a header portion 701 and a data portion 702. The header

portion 701 contains a destination address 7011, a source (sender) address

7012, a session ID 7013 capable of uniquely discriminating a session start to

an end from the client application (browser), namely a combination with an

address (for instance, IP address+port) and a time instant, a serial number

7014 within a session, a terminal sort 7015 for indicating a type of a terminal"

(column 38, line 66 to column 39, line 9).

Therefore, it would have been obvious, to one of ordinary skill in the art, at

the time the invention was made, to combine the use of identifying information

contained in the header of a request, as taught by Toyouchi, with the JSP to

PvC transforming method of Hawkins and Ginter in order to provide *"more*

effective information service utilization by end users" (Toyouchi, column 2,

line 47).

19.   **Regarding dependent claims 30-31**, the claims are directed toward a

computer program and a system (respectively) for the method of claims 29,

and remain rejected using the same rationale.

Response to Arguments

20.   Applicant's arguments filed 5/9/2005 have been fully considered but they are not persuasive.

21.   Regarding the telephone interview conducted with applicant on 3/3/2005, the applicant has incorrectly summarized the results of the interview. As stated in the Interview summary, filed 3/7/2005, agreement was reached regarding the rejection of claims related to USC 112, first paragraph, but agreement was not reached regarding the amendments to claims 1, 8, 15 and 22 to overcome the prior art of record (Hawkins and Ginter as noted in this action). See the rejection of these claims, described above, and response to arguments, described below.

22.   **Regarding claims 1, 6-8, 13-15, 20-22 and 27-28**, the applicant recites: *"Neither Web server 140 nor proxy server 180 of Hawkins performs the parsing, masking, converting, unmasking and storing steps as recited in amended claims 1, 8, 15, and 22"* (page 10, first paragraph of the amendment filed 5/9/2005). Applicant is directed to the rejection of these claims as stated above. Hawkins discloses performing the file transformation steps on the server. Hawkins recites: *"server 180 carries most of the burden of bringing the information from the Internet 190, converting it to wireless client 405 compatible CTP and CML formats, and transferring it to the wireless client 405 over the wireless network"* (column 261, lines 17-23). Ginter adds the teaching of masking and unmasking as described above.

23.   **Also regarding claims 1, 6-8, 13-15, 20-22 and 27-28**, the applicant

recites: "*In addition, Ginter also does not teach or suggest the features as

recited in claims 1, 8, 15 and 22*" (page 10, second paragraph of the

amendment filed 5/9/2005) The applicant is directed to the rejection of these

claims as stated above. Please note that Ginter teaches the masking and

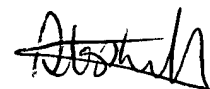unmasking steps of the transformation process disclosed by Hawkins.

Conclusion

24.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Gregory J. Vaughn
July 15, 2005